

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): An information recording apparatus ~~in which in~~ for use with an information recording ~~apparatus~~ medium for recording main data by forming a pit row or a mark row to ~~an~~ the information recording medium by irradiating the information recording medium with a beam for recording, said information recording apparatus comprising:

first modulating signal generating means for generating a first modulating signal in correspondence with the pit row or the mark row;

second modulating means for generating a second modulating signal by modulating the first modulating signal by sub-data such that a pit or a mark of the pit row or the mark row is locally changed in accordance with a logical level of the sub-data; and

beam modulating means for modulating the beam for recording by the second modulating signal;

wherein the second modulating means generates the second modulating signal by allocating one bit of the sub-data to the pit row or the mark row, the pit row or the mark row having a predetermined minimum length to which one bit of the sub-data is allocated that is a length by which the sub-data is correctly reproduced in a case in which the main data is correctly reproduced by an error correction code and a length by which the area to which one bit of the sub-data is allocated can be detected by optical observation;

wherein the second modulating means comprises:

binary coefficient row generating means for generating a binary coefficient row with the first modulating signal as a reference;

disturbing means for generating a disturbing signal by disturbing the sub-data by the binary coefficient row; and
signal modulating means for generating the second modulating signal by modulating the first modulating signal by the disturbing signal; and
wherein the binary coefficient row generating means generates at least a first and a second one of the binary coefficient rows, the disturbing means generates a first and a second one of the disturbing signals by disturbing a first and a second one of the bit rows by the sub-data respectively by the first and the second binary coefficient rows and generates the disturbing signal by multiplexing the first and the second ones of disturbing signals.

Claim 2 (Previously Presented): The information recording apparatus according to Claim 1, wherein the predetermined minimum length is a length of 1 mm or more.

Claims 3-4 (Canceled).

Claim 5 (Currently Amended): The information recording apparatus according to Claim [[4]] 1, wherein the binary coefficient row is a binary coefficient row of M series.

Claim 6 (Canceled).

Claim 7 (Currently Amended): The information recording apparatus according to Claim [[6]] 1, wherein the disturbing signal is generated by multiplexing the first and the second ones of the disturbing signals by selecting the first and the second ones of the disturbing signals in accordance with a predetermined random number.

Claim 8 (Currently Amended): The information recording apparatus according to Claim [[4]] 1, wherein the binary coefficient row generating means initializes the binary coefficient row at a constant period with the first modulating signal as a reference.

Claim 9 (Original): The information recording apparatus according to Claim 1, wherein the first modulating means generates the first modulating signal by ciphering whether the main data and the sub-data is data necessary for deciphering the main data.

Claim 10 (Canceled).

Claim 11 (Currently Amended): An information recording medium, recorded with main data by a pit row or a mark row, recorded by a process comprising recording sub-data by a local change of a pit or a mark of the pit row or the mark row and one bit of the sub-data is allocated to the bit row or the mark row, the pit row or the mark row having a predetermined minimum length to which one bit of the sub-data is allocated that is long enough such that a local change to the pit row or mark row will not affect the main data from being reproduced correctly such that the sub-data will be correctly reproduced,

wherein the local change is formed in accordance with a disturbing signal disturbing the sub-data by a binary coefficient row, and

wherein the binary coefficient row comprises at least a first and a second one of the binary coefficient rows and the disturbing signal is generated by multiplexing a first and a second one of the disturbing signals generated by disturbing a first and a second one of the pit rows by the sub-data by the first and the second ones of binary coefficient rows.

Claim 12 (Previously Presented): The information recording medium according to Claim 11, wherein the predetermined minimum length is a length of 1 mm or more.

Claims 13-14 (Canceled).

Claim 15 (Currently Amended): The information recording medium according to Claim ~~[[14]]~~ 11, wherein the binary coefficient row is a binary coefficient row of M series.

Claim 16 (Canceled).

Claim 17 (Currently Amended): The information recording medium according to Claim ~~[[16]]~~ 11, wherein the first and the second ones of disturbing signals are selected in accordance with a predetermined random number to thereby generate the disturbing signal.

Claim 18 (Currently Amended): The information recording medium according to Claim ~~[[14]]~~ 11, wherein the binary coefficient row is initialized at a constant period with the pit row or the mark row as a reference.

Claim 19 (Original): The information recording medium according to Claim 11, wherein the main data is ciphered and recorded and the sub-data is data necessary for deciphering the main data.

Claim 20 (Currently Amended): An information reproducing apparatus, ~~wherein in an information reproducing apparatus~~ for irradiating an information recording medium

recorded with main data by a pit row or a mark row with a laser beam and receiving a return beam to thereby reproduce the main data, said information reproducing apparatus comprising:

reproduced signal generating means for receiving the return beam and generating a reproduced signal, a signal level of which is changed in accordance with the pit row or the mark row;

main decoding means for decoding the main data from the reproduced signal;

sampling means for sampling the reproduced signal and outputting a sampling signal;

and

sub decoding means for reproducing sub-data recorded by a local change in a pit or a mark of the pit row or the mark row by repeating to integrate the sampling signal for a predetermined time period;

wherein the sub decoding means is set with an integrating time period in correspondence with one bit of the sub-data as a time period by which the pit row or the mark row have a minimum size to which one bit of the sub-data is allocated that is a length by which the sub-data is correctly reproduced in a case in which the main data is correctly reproduced by an error correction code and a length by which the area to which one bit of the sub-data is allocated can be detected by optical observation,

wherein the integrating time period in correspondence with the one bit of the sub-data is a time period in correspondence with a length of 1 mm or more of the pit row or the mark row.

Claims 21-22 (Canceled).

Claim 23 (Original): The information reproducing apparatus according to Claim 20, further comprising:

binary coefficient row generating means for generating a binary coefficient row with the reproduced signal as a reference;

wherein the sub decoding means integrates the sampling signal in accordance with the binary coefficient row.

Claim 24 (Original): The information recording apparatus according to Claim 23, wherein the binary coefficient row is a binary coefficient row of M series.

Claim 25 (Original): The information reproducing apparatus according to Claim 23, wherein the binary coefficient row generating means generates at least a first and a second one of the binary coefficient rows and the sub decoding means decodes the sub-data by a first and a second one of the bit rows in correspondence with the first and the second ones of the binary coefficient rows by integrating the sampling signal respectively in accordance with the first and the second ones of the binary coefficient rows.

Claim 26 (Original): The information recording apparatus according to Claim 23, wherein the binary coefficient row generating means initializes the binary coefficient row at a constant period with the reproduced signal as a reference.

Claim 27 (Original): The information reproducing apparatus according to Claim 20, wherein the main decoding means deciphers the main data based on the sub-data.

Claim 28 (Canceled).